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## SPECIAL REPORT

### **Critique of S. 2, the *Educational Opportunities Act***

DPC Staff Contact: Jane Eiselein (202) 224-3232  
DPC Press Contacts: Ranit Schmelzer (202) 224-2939  
Barry Piatt (202) 224-2551



## Critique of S. 2, the *Educational Opportunities Act*

Republicans have developed an education bill that provides no guarantee that schools will be accountable for high standards and for academic achievement for all children. **S. 2**, which would set our national education policy for the next five years, fundamentally undercuts the Federal role in education. Unfortunately, its legacy, at worst, would be lower academic achievement. Its legacy, at best, would be the status quo.

### ***No Accountability***

Democrats believe that States, districts, and schools should be held accountable for the academic achievement of all students.

**The Republican bill does not include accountability measures that would guarantee either student achievement or qualified teachers in every classroom.** The Republican bill contains three block grants — the “Straight A’s” block grant, the “Straight A’s Plus” block grant, and the *Teacher Empowerment Act* — all of which give States a “blank check” without asking for performance in return. Through these block grants, Republicans remove safeguards in the law that ensure that billions of dollars in Federal education funding are actually spent on education.

Just as the “Straight A’s” program has no assurance that funds will go to improve instruction; strengthen curriculum; reduce class size; or support other effective targeted national programs, block grants lack adequate mechanisms to ensure that funds are spent effectively and where they are most needed. “Straight A’s” would replace current fiscal and performance accountability provisions with a weak and almost meaningless “performance agreement.”

In addition, **S. 2** has no clear accountability framework that would make certain that schools are accountable for increases in overall student performance. The bill should, but does not, require a single accountability system for all schools to ensure that Title I schools are held to the same standards as other schools. How can we raise student achievement if we have different accountability standards for different children?

The Republican bill does not impose significant penalties for chronic failure. The corrective action provisions in the bill are weak because they do not ensure that significant consequences will be imposed when schools are chronically under-performing. Republicans on the HELP Committee rejected amendments that would ensure change in the governance structure of under-performing schools and impose penalties upon States that fail to implement rigorous accountability measures on schools, like limiting access to flexibility programs and decreasing administrative funding.

Portability reduces or eliminates Title I program accountability for student achievement. Current provisions in Title I hold schools accountable for student achievement and for using proven effective reform to help all students. However, under the portability proposal, parents of eligible children could use their Title I funds to purchase supplementary educational services from a wide variety of providers, including private and religious schools and for-profit businesses.

The Republican bill contains no mechanism to ensure that these providers provide quality services to children, and no accountability measures are required of these providers. Who will decide which providers are acceptable? Who will be liable for the children's safety and well-being while they are in the care of outside providers? If parents choose an outside provider and are dissatisfied with its quality, can they opt to make another choice and receive another allotment?

### ***Schools Won't Have a Qualified Teacher in Every Classroom***

Democrats believe that States and schools should be responsible for placing a qualified teacher in every classroom. Research shows that teacher quality has a powerful influence on student learning.

**The Republican bill undermines the Federal commitment to improving teacher quality.** S. 2 block grants funding for teachers to States and includes no guarantees that States use this money for quality professional development or to ensure that teachers are trained to help students with special educational needs, like students with disabilities, poor students, or limited English proficiency students.

Moreover, **S. 2** does not contain an amendment offered by Senator **Kennedy** that would ensure a qualified teacher in every classroom. This means that many of our students will continue to be taught by teachers who are not qualified and who don't have expertise in the subject matter they are teaching or in how to teach. In rejecting Senator Kennedy's amendment, Republicans missed an opportunity to provide targeted funds to communities to recruit qualified teachers; provide qualified mentors for new teachers; provide professional development for classroom teachers; and hold schools accountable for results.

The greatest needs for qualified teachers are in the highest poverty schools, which have the highest proportions of unqualified teachers. Republicans also rejected an amendment offered by Senator Bingaman to require States to ensure that poor children are not taught by unqualified teachers at a higher rate than other children.

### ***No Local Control***

These "Straight A's" block grants also undermine control at the local level — where education decisions should be made. The block grant legislation would send funds to governors and State legislatures, not the State education agency, where they currently go. As a result, educational decision-making would be concentrated at the State level. By authorizing the State to decide whether it will enter into a performance agreement, **S. 2** would give States the ultimate authority to determine the parameters of the agreement, including which schools and school districts will receive funds and how funds are spent.

#### **The Republican bill takes control away from local communities.**

Republicans argue that block grants are needed to return control of education to local communities. In reality, there is already local control of education, and the reauthorization of the *Elementary and Secondary Education Act* in 1994 provided even more flexibility to local authorities in how they spend Title I dollars.

States and communities provide 92 percent of funding for education. Washington's role should be to help local communities meet education priorities when their budgets are stretched too thin.

## ***No Guarantees for Disadvantaged Children***

Democrats believe that schools should be held accountable for the achievement of all students. In fact, we believe that the most disadvantaged students — like homeless students, migrant students and students from low-income families — deserve a Federal guarantee of a high-quality education program.

Federal funding works to equalize the playing field for disadvantaged students by providing extra needed resources. Federal funding also ensures State support of disadvantaged students — many States do not serve certain outcast populations like homeless students unless Federal funds are targeted on them. By providing resources to homeless, migrant and immigrant students, the Federal government makes a commitment to students who are without a voice.

**The Republican bill would deny special populations of students guaranteed help in meeting high standards.** **S. 2** would not require reporting on student achievement for disaggregated groups of students, so a State could demonstrate statewide overall progress based on progress by wealthier communities, while a lack of progress in disadvantaged communities remains statistically hidden. Accountability systems that depend on average student achievement data — data in the aggregate — will not close the achievement gaps that separate low-income students from the more affluent students and the minority students from the white students.

The definition of progress included in Title I should require States and local school districts to set annual, numerical goals for student achievement by subgroup, so that existing achievement gaps can be eliminated. And these disaggregated goals should include at least income, race, ethnicity and limited English proficiency — none of which are included in **S. 2**.

Moreover, the block grants in the bill would obstruct the supplemental benefit of Federal funding to disadvantaged students. They would dilute the guaranteed impact of targeted funding on targeted populations by diverting money from students who need it the most — poor, homeless and limited English proficiency. Without a concentration on these children, achievement gaps between students based on poverty will start growing again, ending recent years of success in narrowing the gap.

Portability vouchers would substantially reduce the targeting of Title I funds to schools and pupils with the greatest need of assistance. Portability grants work at the expense of public schools because they take away funding from already inadequately funded schools without conversely reducing costs.

The Federal government currently provides supplemental funds to high-poverty schools because research shows that the negative impact of family poverty on educational achievement is much greater in schools with high proportions of poor students. Because portability allows Title I funds to be used at a private school or a for-profit business, Title I grants would be spread thinly and away from poor areas.

The solution that would ensure that all eligible children are served by Title I is not an unworkable portability scheme but the full funding of Title I by Congress. The Congressional Research Service has estimated that it would cost \$24 billion to fully serve all eligible children — three times the current funding level. Besides not meeting this level, the Republican bill sets aside \$2.5 billion of needed Title I money for an unneeded “reward” program.

### ***Status Quo***

While it is clear that the bipartisan reauthorization of the *Elementary and Secondary Act* in 1994 improved the academic achievement of students, much remains to be done. United States 12th-graders score below the international average in mathematics and science, compared to the 21 nations participating in the Third International Mathematics and Science Study (TIMSS) assessment. Achievement gaps still exist between minority and non-minority students, as well as between poor and non-poor students. Although drop-out rates have declined nationally, African Americans and Latino students still graduate from high school at lower rates than white students. Poor and minority students are much more likely to have an unqualified teacher in their classroom. African American students are far less likely to be in a gifted or advanced placement class.

**The Republican bill embraces the status quo and would reduce Federal support of public schools.** The reauthorization of ESEA gives us the opportunity to build on its successes and to make even more progress. Yet the overriding characterization of the Republican bill is that

it maintains the status quo. Republicans seem to think that the Federal government should simply throw money at these problems in the form of block grants, set up vague guidelines, continue programs without demanding accountability from them — and hope that things get better.

Republicans misleadingly claim this bill would help public education. In fact, the Republican bill stacks the deck against public education with back-door schemes to pull students out of public schools.

The theme of **S. 2** is “bailing out” of public education. Its portability vouchers thinly disguise the movement of Federal funding from public schools to private schools. Its provisions which permit students to transfer schools would allow local educational agencies to use their entire Title I grant for transportation costs. Republicans rejected Senator **Bingaman’s** reasonable compromise that would have capped the amount schools could spend on transportation.

While Democrats support the ability of students to transfer from a failing school or an unsafe school, students should not be able to transfer using funds intended to improve academic achievement in high-poverty schools.

### ***No Commitment to National Education Priorities***

Besides building on recent progress, we now have an opportunity to invest in programs that are certain to bring about change. Parents and educators know from experience that common-sense initiatives supported by Democratic Senators will work — smaller classes, better teachers, more parental involvement, safer schools, and expanded and improved education technology.

**The Republican bill fails to ensure national priorities, like small classes, modern schools, and after-school.** Not only would the bill force schools to give up these programs or stop expanding them, **S. 2** would take away programs targeted to help lower-achieving and poor students. For example, the Republican bill:

- backs away from the Federal Government’s commitment to recruit, hire and train teachers to reduce class size by getting rid of the class size reduction program;

- tells parents and schools struggling to address the after-school needs of their children and students to keep their children in unsupervised care;
- allows 14 million students to continue to attend classes in buildings that are unsafe or inadequate; and
- does not ensure that parents are able to be involved in schools.

## Conclusion

As we enter the 21st Century, we must close the achievement gap that puts children in low-income and minority communities several steps behind the starting line. We must ensure that teachers are fully qualified and help schools recruit them. Academic standards are now in place in all the States; we must use them to make sure that States are accountable for student performance.

The Republican bill would not give schools the incentives, the assistance, and the resources they need. **S. 2** would not help failing schools turn themselves around. The bill would fundamentally undercut the Federal role in education — thereby leaving behind public school students as we look forward to the 21st Century. As this legislation demonstrates, Republicans, who made huge tax cuts more important than education spending, do not have education as their top priority.